



PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BANCHAND ET AL	Examiner: DREW BECKER
Serial No.: 09/150,692	Group Art Unit: 1761
Filed: SEPTEMBER 10, 1998	
For: LABELLESS, ROLLED FOOD ITEM AND ITS FABRICATION	Docket No. 513705

RECEIVED
SEP 07 2004
TC 1700

Commissioner for Patents
Office of Publications
P.O. Box 1450
Mail Stop: Issue Fee
Alexandria, VA 22313-1450

I CERTIFY THAT ON 8/25, 2004, THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH
SUFFICIENT POSTAGE FOR FIRST CLASS MAIL IN AN ENVELOPED
ADDRESSED TO COMMISSIONER FOR PATENTS, OFFICE OF
PUBLICATIONS, P.O. BOX 1450, MAIL STOP: ISSUE FEE, ALEXANDRIA,
VA 22313-1450.

Yulandra Y. Washington
Yulandra Y. Washington

PETITION UNDER CFR §1.181 TO WITHDRAW HOLDING OF
ABANDONMENT

RECEIVED
SEP 13 2004
TC 1700

Dear Sir:

On August 9, 2004, the United States Patent and Trademark Office issued a Notice of Abandonment for U.S. Patent Application Serial No. 09/150,692. The Notice of Abandonment indicated that the Applicant had failed to timely file the corrected drawings as required by and within the three-month period set in the Notice of Allowability. The Notice of Abandonment further stated that no corrected drawings had been received.

Under the procedure described in CFR §1.181(a), we hereby petition and request withdrawal of the holding of abandonment. The undersigned hereby states that the issue fee was timely paid and received by the United States Patent and Trademark on January 16, 2004, as evidenced by Public PAIR.

On January 20, 2004, the United States Patent and Trademark Office issued an Office Communication indicating that the requirement for formal drawings was rescinded due to the Notice of Draftperson's Review included in paper no. 4 in which the drawings were approved by the Draftperson.

A representative of the Applicant spoke with Sue Lefkowitz, (703)605-5229, Office of Petitions, United States Patent and Trademark Office, who concurred that the Notice of Abandonment was erroneously issued.

Applicant therefore respectfully petition that the holding of abandonment be withdrawn and the Office of Publications passes the case to issuance. Pursuant to CFR §1.181(f), this petition is believed to be timely as it is being mailed within two months of the mail date of the Notice of Abandonment.

This action does not result from the failure to act on the part of the Applicant; therefore, Applicant respectfully requests that any petition fee be waived. Notwithstanding the foregoing, in the event any petition fee is deemed to be necessary, please notify Applicant of such fee and the reason therefor, and charge any additional fee to Deposit Account No. 07-0900.

Respectfully Submitted,

Dated: August 24, 2004

By: John A. O'Toole
John A. O'Toole
Reg. No. 28,336
Phone: (763)764-2422
Fax: (763)764-2268

RECEIVED
SEP / 3 2004
TC 1700